

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA**

AFFIDAVIT

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the aforesaid jurisdiction the within named, JON HILL, who after being duly sworn, deposed and said:

1. My name is JON HILL. I was retained as a forensic computer consultant by counsel for Plaintiffs Thomas C. McIntosh and Pamela McIntosh in the matter styled *Thomas C. McIntosh and Pamela McIntosh vs. State Farm Fire & Casualty Company et al*, Civil Action No. 1:06-cv-1080 LTS RHW, pending in the United States District Court for the Southern District Court of Mississippi, Southern Division.

2. I have personal knowledge of the matters set forth in this Affidavit.

3. On August 30, 2007, I traveled to Raleigh, North Carolina, for the purpose of inspecting and copying electronic information on two (2) computers located at 3401 Atlantic Avenue, Suite 100, Raleigh, North Carolina, being the business office of Robert K. Kochan.

4. By prior arrangement, counsel for Thomas C. and Pamela McIntosh, Mary E. McAlister, also traveled to Raleigh, North Carolina, from Ridgeland, Mississippi, and met me in Raleigh on August 30, 2007.

5. The next day, I along with Mary E. McAlister appeared at the aforesaid Robert K. Kochan's office to inspect and copy the electronic information called for in the subject subpoena.

6. On the date and time fixed for performance under the subpoena, August 31, 2007, at 9:00 AM, I was informed by Mary E. McAlister that Robert K. Kochan was denying our access to the subject computers.

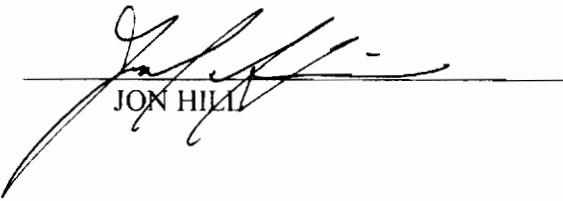


8. During the time period from August 13, 2007, (the date of issuance and prior notice of the subject subpoena), and August 30, 2007, (the date of my travel from New Mexico to North Carolina) I was periodically in contact with Ms. McAlister or others in her office to confirm and re-confirm that the inspection and copying of the computers in Mr. Kochan's office was to take place as set forth in the subject subpoena, at 9:00 AM on August 31, 2007. To my knowledge, there was never any objection communicated to me concerning the subject subpoena during the aforesaid period encompassing August 13, 2007, to August 30, 2007. Thus, I had no reason to anticipate that my time, expense and travel to North Carolina, for the purpose of the computer inspections, would ultimately be for naught due to Mr. Kochan's denial of access.

9. A true and correct statement of the costs, expenses and time expended in connection with the issuance of the subject subpoena is attached and incorporated by reference to this Affidavit.

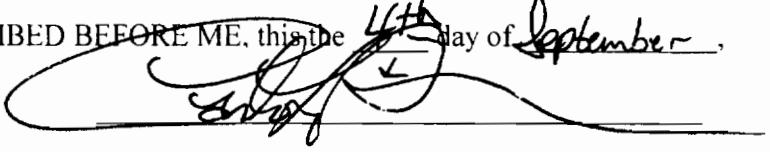
FURTHER, AFFIANT SAYETH NOT.

STATE OF NEW MEXICO
COUNTY OF Bernalillo.


JON HILL

Personally appeared before me, the undersigned authority in and for the aforesaid jurisdiction, JON HILL, who acknowledged to me, after being first duly sworn, that the matters and facts set forth are true and correct to the best of his knowledge, information and belief.

SWORN TO AND SUBSCRIBED BEFORE ME, this the 4th day of September,
2007.



NOTARY PUBLIC

My Commission Expires:

12/27/2007





500 Fourth St. NW
Suite 210
Albuquerque, NM 87102

Invoice

Due Date	Date	Invoice #
8/29/2007	8/29/2007	10001621

Bill To:

David Nutt & Assoc.
Attn: Derek Wyatt
605 Crescent Blvd., Suite 200
Ridgeland, MS 39157

New

Address 1: _____

Address 2: _____

City/State/Zip: _____

I would like to receive e-mail invoices and statements

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Balance Due

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Albuquerque, NM 87102

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Invoice #	P.O. No.	Terms	Rep
10001621			

Item	Date	Description	Qty	Rate	Amount
Travel General	8/30/2007	Travel to NC.	8	95.00	760.00T
	8/31/2007	Waited to meet with opposing's client to perform work outlined in subpoena.	4	95.00	380.00T
Travel Reimb Group	9/1/2007	Travel from NC	6	95.00	570.00T
	8/21/2007	Jon's Flight to NC		462.10	462.10
	8/30/2007	Airline surcharge for extra baggage (Equipment)		50.00	50.00
	8/30/2007	Airline surcharge for extra baggage (Equipment)		50.00	50.00
	8/30/2007	Jon's hotel in Raleigh, NC		297.23	297.23
	9/1/2007	Airline surcharge for extra baggage (Equipment)		100.00	100.00
		Total Reimbursable Expenses			959.33
		New Mexico Gross Receipts Tax		6.875%	117.56
		Save a tree, a stamp, and that awful taste from the envelope. Pay online 24/7. https://www.intuitbillpay.com/inicom			

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Payments/Credits	US\$	\$0.00
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Receipt

Booking confirmation

Booking date: 08/21/2007 Booking code: GZYGCJ

Booking specification

Flight	Departure	Arrival	Date
0503	12:30 PM ALBUQUERQUE	8:04 PM RALEIGH-DURHAM	Thu, Aug 30 2007
0500	8:15 AM RALEIGH-DURHAM	11:47 AM ALBUQUERQUE	Sat, Sep 01 2007

Payment specification

Receipt No	Date	Type	Document	Amount
517683	Tue, Aug 21 2007	Visa Card	xxxx.xxxx.xxxx.0179	USD 462
Fares:				USD 405.58
Taxes:				USD 56.52
Incl. VAT:				USD 0
Total VAT:				USD 0
Total Amount:				USD 462

Price**ALBUQUERQUE - RALEIGH-DURHAM**

1 x ADULT	
Price	USD 203

Taxes and fees	USD 28
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VAT included	USD 0
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Summary	1 x USD 230
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RALEIGH-DURHAM - ALBUQUERQUE

1 x ADULT	
Price	USD 203

Taxes and fees	USD 29
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VAT included	USD 0
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Summary	1 x USD 232
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TOTAL PRICE	USD 462
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Itinerary Change Diff.	USD 0
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TOTAL PAID	USD 462
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Passengers

HILL/JON MR

Seller**ExpressJet contact info**

CREDIT CARD RECEIPT

Date: 08/30/07 12:29:39
Payment Type: Visa
Total Paid: \$50.00
Account No: 1111111111110179
Flight: 0503
Cardholder: JON HILL

CREDIT CARD RECEIPT

Date: 08/30/07 12:27:51
Payment Type: Visa
Total Paid: \$50.00
Account No: 1111111111110179
Flight: 0503
Cardholder: JON HILL

U3222 GZYGCJ 08/30/07

U3222 GZYGCJ 08/30/07

CREDIT CARD RECEIPT

Date: 09/01/07 05:26:33
Payment Type: Visa
Total Paid: \$100.00
Account No: 1111111111110179
Flight: 0500
Cardholder: JON HILL

Charges	:	Amount
Baggage charge	:	\$50.00
Baggage charge	:	\$50.00
Total Tax:	:	\$0

CREDIT CARD RECEIPT

Date: 09/01/07 05:26:33
Payment Type: Visa
Total Paid: \$100.00
Account No: 1111111111110179
Flight: 0500
Cardholder: JON HILL

X _____
I agree to pay the total amount
specified on this receipt according
to the card issuer agreement.

U2246 Customer Copy

GZYGCJ

09/01/07

U2246 GZYGCJ 09/01/07

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367 BILL/JDR/ANR

109.00 09/01/07 12:00 \$607
RATE DEPART TIME ACCT#
08/30/07 21:12

ARRIVE TIME
2 500 4TH STREET NW ST PASSPORT:
ALBANY, NY

NAME
ADDRESS

PAYMENT

NR#:

08/30	TELECOM	TELECOM	9.95
08/30	ROOM	367, 1	109.00
08/30	ROOMTAX	367, 1	7.36
08/30	OCCTAX	367, 1	6.54
08/31	MMHS	8953 367	25.53
08/31	TELECOM	TELECOM	9.95
08/31	ROOM	367, 1	109.00
08/31	ROOMTAX	367, 1	7.36
08/31	OCCTAX	367, 1	6.54
09/01	BK CARD		\$291.23

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CRABTREE VALLEY

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6-2955C
Rev 12/04

Signature X _____

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